



CANNON BUILDING  
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STATE OF DELAWARE  
**DEPARTMENT OF STATE**

DIVISION OF PROFESSIONAL REGULATION

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<b>PUBLIC MEETING MINUTES:</b>	<b>BOARD OF ARCHITECTS</b>
<b>MEETING DATE AND TIME:</b>	<b>Wednesday, September 4, 2013 at 1:30 p.m.</b>
<b>PLACE:</b>	<b>861 Silver Lake Blvd., Conference Room B, Second floor, Dover, Delaware</b>
<b>MINUTES APPROVED:</b>	<b>October 2, 2013</b>

**MEMBERS PRESENT**

John Mateyko, RA, Professional Member, President  
Kenneth Freemark, RA, Professional Member  
Kevin Wilson, RA, Professional Member, Secretary  
Prameela Kaza, Public Member  
Elizabeth Happoldt, Public Member  
Richard Wertz, RA, Professional Member  
Joseph Schorah, Public Member  
Peter H. Jennings, RA, Professional Member  
Brian Lewis, Public Member

**DIVISION STAFF/DEPUTY ATTORNEY GENERAL**

Jennifer Singh, Deputy Attorney General  
Meaghan Jerman, Administrative Specialist II

**ABSENT**

None

**OTHERS PRESENT**

Nancy Payne, AIA Delaware

**Call to Order**

Mr. Mateyko called the meeting to order at 1:30 p.m.

**Review and Approval of Minutes**

The Board reviewed the minutes of the July 3, 2013 meeting. Mr. Wilson made a motion to accept the minutes as presented, seconded by Mr. Freemark. The motion passed by majority with Mr. Lewis and Mr. Jennings abstaining.

**Rules and Regulations Public Hearing**

See attached hearing minutes below.

### **Unfinished Business**

#### **Discussion/Status of Sussex County Permitting Code**

Ms. Singh informed the Board that the meeting regarding Sussex County will take place on September 12, 2013 from 2-4 p.m. Ms. Singh provided an overview of what the purpose of the meeting is and explained that the current Sussex County code allows for any architect, regardless of state of registration, or engineer to draft plans for new construction, which is contrary to Delaware law. Additionally, Sussex County Code does not require an architect or engineer for any structure less than 5,000 square feet. Ms. Singh explained that Sussex County has agreed to change the code to clarify that plans must be drafted by a Delaware licensed architect or engineer, however they have not at this time agreed to modify the 5,000 square foot threshold. The purpose of the meeting, Ms. Singh explained, is to educate Sussex County officials as to why this is important. Mr. Mateyko inquired if any other Board members would be interested in attending this meeting. Mr. Jennings shared that he will be out of town and unable to attend the meeting but shared his thoughts considering the Sussex County permitting code. Mr. Jennings explained that Delaware law is based on a national standard and explained the significant reasons why an architect is needed for establishments less than 5,000 square feet such as fire safety, building access, structural integrity of the buildings, and significant weather events. Mr. Freemark stated that he is opposed to having more meetings with Sussex County as he feels they have not been productive and believes there may be other alternatives that have not been explored to deal with the issue. The Board discussed Mr. Freemark's comments. Ms. Singh explained Senate Bill 90 will allow the Board to cite unlicensed architects for unlicensed practice and this is something the Board can consider to address this issue. The citations can be issued on site. The Board agreed that they would make Sussex County aware of Senate Bill 90 at the September meeting so they are informed that unlicensed practice could be ticketed moving forward.

Mr. Mateyko made a motion, seconded by Mr. Jennings, that Richard Wertz, John Mateyko, Kevin Wilson and Kenneth Freemark will attend the meeting on September 12, 2013 with Sussex County. The motion passed unanimously. Mr. Mateyko clarified that those attendees are not a substitute for a Board meeting and are only attending to provide professional guidance. Mr. Mateyko explained that those attending the meeting with Sussex County are welcome to attend a Board meeting if they wish to address the full Board. Ms. Singh explained that the purpose of Board members attending is to provide clarification and explanation on why the 5,000 square foot threshold is irrelevant to the practice of architecture. Mr. Mateyko suggested providing a memo to summarize bullets of why an architect is needed for this type of establishment. Mr. Mateyko will prepare a memo and asked Board members to share any thoughts they have to be included.

#### **Discussion and Review of Comments with Suggestions to Improving Board's Mission**

Mr. Freemark informed the Board that Mr. Mateyko asked he and Mr. Wilson to form a two person committee to research items that they feel are important from the public's perspective regarding the practice of architecture. Mr. Freemark shared that there is a lack of knowledge by the public on many components of architecture and that the Board has responsibility to educate the public on what the Board does. Mr. Freemark shared some avenues to do this such as selecting periodicals to make a monthly statement in, and expanding a quarterly newsletter from the Board. Mr. Schorah inquired if the Board could expand on their website such as a message from the Board link. Ms. Jerman stated she would look into this matter and report back to the Board. The Board discussed other tactics as well. Mr. Wilson added that he agrees reaching out to contractor associations is a good idea as well as reaching out to the public through some sort of public service announcement. The Board needs to take a more public role. Ms. Jerman will look into website capabilities as well as newsletter development.

### **New Business**

#### **Review of Correspondence from AIA Delaware Concerning Delaware Government Information Center's Job Title of "Information Architect"**

The Board reviewed correspondence from AIA Delaware concerning the Delaware Government Information Center's use of the title of "Information Architect". The Board discussed their individual interpretations of the use of the term and the possible misconceptions that could arise. Ms. Singh explained the Board's options with regard to the use of this term such as the filing of a complaint. The Board decided to table this item at this time and staff will obtain more information on this matter.

#### **Review Request for Extension of Completion of Continuing Education Requirements – Peter Jennings, RA**

Mr. Jennings submitted a request for an extension of time to complete his continuing education requirements for the renewal of his architect license. The Board was provided with a copy of Mr. Jennings' request that was received by the Division on July 31, 2013. Mr. Jennings shared that he did submit this request on purpose to test out Rule 6.5.3. Mr. Freemark made a motion to accept Mr. Jennings request for an extension to complete his continuing education requirements, seconded by Ms. Kaza. The motion passed unanimously. Mr. Jennings expressed frustration that he received a letter from the Division stating that he was not able to practice architecture after completing his online renewal. Ms. Singh explained as the Board did not meet in August, his request for an extension could not be reviewed sooner and at the time of renewal he did not meet the statutory requirements for renewal and therefore his license was not renewed. As the Board has approved Mr. Jennings request at this meeting, his architect license will be renewed following the meeting. Ms. Singh suggested that in the future licensees should consider obtaining approval for an extension for continuing education requirements prior to the expiration date of their license. Mr. Mateyko suggested that the Board consider the matter of a possible regulation change regarding requests for continuing education extensions at a subsequent meeting. Ms. Happoldt suggested that the Board consider meeting in the month of August in renewal years to avoid similar issues in the future. Mr. Wilson suggested the Board consider a regulation change that would stipulate a date that the requests have to be received by. The Board agreed to discuss the matter further at an upcoming meeting.

#### **Review NCARB Letter of Undertaking on New Mutual Recognition Agreement between NCARB and the Canadian Architectural Licensing Authorities**

Mr. Jennings provided a history and overview to the Board of the Mutual Recognition Agreement between the Canadian Architectural Licensing Authorities (CALA) and NCARB. Mr. Jennings shared that the agreement acknowledges that Canada licensure requirements are equivalent to NCARB's standards. The new Mutual Recognition Agreement is contingent upon at least fifty percent of NCARB Member Boards becoming formal signatories on it. Mr. Jennings explained that in the past the Delaware Board has supported the Mutual Recognition Agreement with Canada. Mr. Freemark made a motion to accept the new Mutual Recognition Agreement between CALA and NCARB, seconded by Mr. Schorah. The motion passed unanimously.

#### **New Complaints Assigned to a Contact Person**

There were no new complaints.

#### **Ratification of Certificate of Authorization Applications**

Mr. Schorah made a motion, seconded by Mr. Jennings to ratify the Certificate of Authorization issued to FWH Architects, Castles Design Group, Hellyer Lewis, Inc., Shive-Hattery, Inc., A. Epstein and Sons International, Inc., Wolf Design and Construction, Parsons Environment & Infrastructure Group, Inc. The motion carried unanimously.

#### **Ratification of Reciprocity Applications – NCARB Certificate**

Mr. Freemark made a motion, seconded by Mr. Jennings to ratify the listing of issued licenses to NCARB Certified architects by reciprocity. The motion carried unanimously.

Mark Shermeyer	Eric Eliz	Jason Chandler
Joshua Flowers	John Shields	Craig Slocum
Ronald Bertone	Adam Snyder	Michael Goodwin
Todd DeGarmo	Kevin Sullivan	James Collins
Melissa Lawson	Nathan Minch	Robert Orgera
Jerry Pesce	Thomas Wiedenman	Alexander Zilberman

#### **Review of Application by Direct Application – Ratify Listing**

Mr. Freemark made a motion, seconded by Mr. Wilson to ratify the license issued to Paul Bosman. The motion carried unanimously.

#### **Review of Application by ARE Exam – Ratify Listing**

Mr. Wilson made a motion, seconded by Mr. Freemark to ratify the license issued to Courtenay Bauer. The motion carried unanimously.

#### **Review of Applications by Direct Application**

##### **Douglas Burke**

Mr. Wertz reviewed Mr. Burke's application. Mr. Burke has a Bachelors Degree in Architecture from Virginia Tech and is licensed in numerous other states. Mr. Burke does not have any previous discipline and Mr. Wertz made a motion to grant licensure to Mr. Burke, seconded by Mr. Freemark. The motion carried unanimously.

##### **Daniel Bierzonski**

Mr. Wertz reviewed Mr. Bierzonski's application. Mr. Bierzonski has a Bachelors of Science in Structural Design from Penn State. Mr. Bierzonski is licensed in Pennsylvania at this time but does not have an NCARB certificate. Mr. Schorah made a motion to propose to deny Mr. Bierzonski's application, seconded by Mr. Lewis based on 24 Del. C. § 307(a)(1) which requires that an applicant hold a National Architectural Accrediting Board (NAAB) accredited professional degree in architecture or have completed such other education as the Board deems equivalent. Under Board Regulation 4.1.1 the Board further clarifies that an applicant must "meet the education requirements as set forth in the NCARB Education Guidelines." The motion carried unanimously.

#### **Discussion on NCARB Annual Meeting**

Mr. Jennings provided a summary of the NCARB Annual Meeting that was held in June in San Diego, CA. Mr. Jennings shared statistical data from the meeting summarizing that there are currently approximately 110,000 Architects in the United States, approximately 43,000 are members of the AIA, and 39,000 are NCARB certificate holders. Mr. Jennings shared that NCARB's initiative last year to provide waivers for fees for individuals who had allowed their certificates to lapse was successful. Mr. Jennings explained that NCARB will be using a new vendor for the ARE that is more user friendly. Mr. Jennings explained some model law changes that have been made such as the use of electronic seals. Mr. Jennings explained that the Delaware Board has not considered allowing electronic seals at this point and may want to consider in the future. Mr. Jennings stated that next year's annual meeting will be held in Philadelphia, PA and he anticipates a great turnout.

Mr. Wilson inquired about NCARB's use of electronic sealing. Mr. Jennings explained the language changes that were made regarding this topic. Mr. Jennings suggested the Board look into other states that have implemented electronic seals and inquire about any issues that they may have had. Additionally, Mr. Jennings shared that 16 states have adopted NCARB's calendar year Continuing Education requirement and 17 additional states are in the process of doing so. Mr. Jennings agreed to

do research into what other states are doing with regard to electronic seals and will report back to the Board.

**Other Business Before the Board (for discussion only)**

Mr. Jennings shared that HB 103 did not pass in June and will be a part of the next legislative session.

Mr. Wertz inquired about the status of the Delaware Tech Service Learning program. Mr. Mateyko states that he has not received an update if the program has started.

There was no other Business before the Board.

**Public Comment**

There was no public comment.

**Next Scheduled Meeting**

The next meeting will be held on October 2, 2013 at 1:30 p.m. in Conference Room B, second floor of the Cannon Building, 861 Silver Lake Boulevard, Dover, Delaware.

**Adjournment**

With no further business before the board, Mr. Mateyko made a motion to adjourn the public meeting, seconded by Mr. Freemark. The motion carried unanimously. The meeting adjourned at 3:20 p.m.

Respectfully submitted,

A handwritten signature in cursive script, appearing to read "Meaghan Jerman".

Meaghan Jerman  
Administrative Specialist II

## **HEARING – Rules and Regulations**

The Delaware Board of Architects held a hearing on September 4, 2013 at 1:30 p.m. in the Second Floor Conference Room B, Cannon Building, 861 Silver Lake Blvd., Dover, Delaware.

**PRESENT:** John Mateyko, RA, Professional Member, President; Kenneth Freemark, RA, Professional Member; Kevin Wilson, RA, Professional Member, Secretary; Prameela Kaza, Public Member; Elizabeth Happoldt, Public Member; Richard Wertz, RA, Professional Member; Joseph Schorah, Public Member; Peter H. Jennings, RA, Professional Member; Brian Lewis, Public Member

**PUBLIC PRESENT:** Nancy Payne, AIA Delaware

**PURPOSE:** Rules and Regulations

The Delaware Board of Architects, pursuant to 24 *Del.C.* § 306(a)(1), proposes to revise regulations 1.0 and 6.2.1 and add new sections at 1.0, 4.1.2, 6.2.2, 6.3, and 6.9. The proposed changes seek to add a section for architect emeritus status, reinstitute a regulation for Intern Development Program Guidelines in order to comply with the National Council of Architectural Registration Boards and amend the current continuing education requirements to allow for proration of credits and become more in line with other states architecture licensing boards.

**PRESIDING:** John Mateyko, Board Chair

**BOARD STAFF:** Meaghan Jerman, Administrative Specialist II

**BOARD COUNSEL:** Jennifer Singh, DAG

**COURT REPORTER PRESENT:** Lucinda M. Reeder, Wilcox and Fetzer

**TIME STARTED:** 1:35 p.m.

The hearing began at 1:35 p.m. The court reporter took verbatim testimony. Board members introduced themselves. Ms. Singh read aloud the purpose of the hearing as stated above. Ms. Singh confirmed that the proposed changes and notifications of the public hearing were published in two newspapers as well as the Delaware Register of Regulations on August 1, 2013. Ms. Singh introduced the affidavit of publication from The News Journal as Board's Exhibit 1, and the affidavit of publication from the Delaware State News as Board's Exhibit 2. Board Exhibit 3 is written comment from Charles Weymouth of Weymouth Architect's letter dated 7/12/2013 regarding continuing education and audits. There was no public comment. The hearing adjourned at 1:38 p.m.